



FORT SILL - CHIRICAHUA - WARM SPRINGS - APACHE TRIBE

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**RESOLUTION TO SUSPEND ALL ECONOMIC DEVELOPMENT AUTHORITY TRUSTEES
AND TAKE OVER ALL BANK ACCOUNTS AND ASSETS PENDING INVESTIGATION OF
ALLEGATIONS OF FINANCIAL MISMANAGEMENT**

RESOLUTION FSABC-2024-13

WHEREAS, the Fort Sill – Chiricahua – Warm Springs – Apache Tribe (the “Tribe”) is a federally recognized Indian Tribe organized under the Oklahoma Indian Welfare Act of June 26, 1936, and under its Tribal Constitution ratified on October 30, 1976, has full power to act for the Tribe; and

WHEREAS, the Tribe’s Business Committee (the “Business Committee”) has the duty and responsibility to represent the Tribe and act on all matters that concern the welfare of the Tribe pursuant to Articles IV and VII of the Constitution of the Tribe; and

WHEREAS, the Business Committee is a fiduciary of the Economic Development Authority (“EDA”), which includes the authority to approve the appointment and removal of members of the Board of Trustees pursuant to Section 204 of the Economic Development Authority Act; and

WHEREAS, the Business Committee has received information regarding the possible mismanagement of funds by the EDA Board of Trustees; and

WHEREAS, it is the Business Committee’s fiduciary duty as the body elect to protect the assets of the Tribe and its tribal citizenry; and

WHEREAS, as the body elect, the Business Committee has the duty and responsibility to protect the public fisc; and

WHEREAS, the Business Committee finds it in the best interest of the Tribe to take the actions necessary to protect the tribes assets.

NOW, THEREFORE, BE IT RESOLVED, that the Fort Sill – Chiricahua – Warm Springs – Apache Tribe Business Committee, pursuant its fiduciary duties detailed in Articles IV and VII of the Constitution of the Tribe, does hereby approve and authorize the commencement of an internal investigation into the allegations of financial mismanagement by the Economic Development Authority Board of Trustees.

EXHIBIT

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MOUNTAIN SPIRIT DANCER

Mountain Spirit Dancer represents the Mountain Spirit Ceremony which is used by the Chiricahua and Warm Springs Apache. It was given to the Apaches by the Mountain Spirits for blessings, protection, curing and warding off diseases. The Ceremony is still used today.

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BE IT FURTHER RESOLVED, that the Fort Sill – Chiricahua – Warm Springs – Apache Tribe Business Committee, pursuant its fiduciary duties detailed in Articles IV and VII of the Constitution of the Tribe, hereby suspends the Board of Trustees' ability to transact new business on behalf of the Economic Development Authority and the Tribe effective immediately, including but not limited to the negotiation and execution of new contracts, the purchase or sale of any assets, or any other activity that requires the use of Economic Development Authority funds or assets. Where the Economic Development Authority is required to fulfill obligations, or that require any use of EDA funds or assets, existing as of the date of this resolution, the Trustees are required to seek the approval of the Business Committee prior to any transaction.

BE IT FURTHER RESOLVED, that the Fort Sill – Chiricahua – Warm Springs – Apache Tribe Business Committee requires all suspended Trustees to fully comply with and make themselves available for the aforementioned investigation of financial mismanagement.

BE IT FURTHER RESOLVED, that the Fort Sill – Chiricahua – Warm Springs – Apache Tribe Business Committee shall hereby take over all bank accounts and assets of the Economic Development Authority until further notice.

BE IT FINALLY RESOLVED, that the Fort Sill – Chiricahua – Warm Springs – Apache Tribal Business Committee Chairwoman, or her designee, is hereby authorized to execute any and all instruments and documentation, and to take any additional actions necessary or incidental to the fulfill the intent and purpose of this resolution.

CERTIFICATION

We the undersigned, as the Chairwoman and Secretary of the Fort Sill – Chiricahua – Warm Springs – Apache Tribe, do hereby certify that the Fort Sill – Chiricahua – Warm Springs – Apache Tribe Business Committee is composed of six (6) members of whom four (4) constitute a quorum were present at a meeting duly held on June 13, 2024, and that the foregoing resolution was adopted by the affirmative vote of 5 members for, 0 members against and 0 members abstaining.

Fort Sill Apache Indian Tribe Business Committee

Jennifer Heminokey, Chairwoman

James Dempsey, Secretary/Treasurer

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